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02/15/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:

Applicants: Kenneth Heath Atty. Docket No.: RPS 6043F7
Serial No.: 09/549,127 Examiner: not yet assigned
Filing Date: April 13, 2000 Group Art Unit: 1732
Entitled: METHOD AND APPARATUS FOR MAKING A BLISTER PACK WITH INDICIA

#3

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(A)

Date of Deposit: 10/2/00

I hereby certify that this correspondence is being deposited with the U.S. Postal Service, with sufficient postage, as first-class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Jennifer Warner
Jennifer Warner

Assistant Commissioner for Patents
BOX IDS (NO FEE)
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. 1.97(b)(3))

Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 and a copy of each reference cited thereon are brought to the attention of the Examiner.

This statement should be considered because it is submitted after three (3) months of the filing date but before receipt of the First Office Action on the merits. Accordingly, no fee is necessary.

BRIEF DESCRIPTION OF RELEVANCE

PCT WO 00/09313 (Heath) is the published PCT application for which this patent application claims benefit of priority.

PCT WO 97/21534 (Zeiter et al.) discloses a process for making cold-formed packages with at least one recess of a metal-plastic composite. This reference was cited on the International Search Report of applicant's own PCT WO 00/09313.

PCT WO 99/08857 (Kearney et al.) discloses a laminated film in which a metal foil is sandwiched between two polymeric films and is cold-formed to define one or more blisters with the base stamped with indicia in two discrete stages. The reference is discussed on page 2 of applicant's specification.

U.S. Patent No. 5,457,895 (Thompson et al.) discloses the application of identifying marks to freeze-dried tablets without the application of pressure or directly printing on the tablet. This reference was cited on the International Search Report of applicant's own PCT WO 00/09313.

European Patent Application 563 934 (Eggert et al.) discloses blister packs containing dosage forms. This reference was cited on the International Search Report of applicant's own PCT WO 00/09313.

European Patent 646 367 (Kearney et al.) discloses a multilayer laminated blister film and is discussed in applicant's specification on page 2 and was cited on the International Search Report of applicant's own PCT WO 00/09313.

European Patent 710 101 (Kearney et al.) discloses a method for manufacturing freeze-dried dosages in a multi-laminate blister pack and is discussed in applicant's specification on page 2 and was cited on the International Search Report of applicant's own PCT WO 00/09313.

European Patent Application 905 042 (Oster et al.) is accompanied by a translation and discloses blister or break-through packs with a base section and a cover in metal and/or plastic-

containing foils, with at least the base section containing moulded recesses as a negative or positive imprint.

Applicants are submitting this art because they recognize their duty to disclose pursuant to 37 C.F.R. 1.56. However, submission of this art and Statement is not an admission that any item identified contains matter that anticipates the invention or that renders the invention obvious to a person of ordinary skill in the art. Further, Applicants believe that none of the art submitted herewith, alone or in proper combination, discloses, teaches or suggests the invention claimed by Applicants.

No representation is made that a reference constitutes prior art within the meaning of 35 U.S.C. 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. 1.131 or otherwise to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Respectfully submitted,

Dated: 9/18/00

By: 

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**FORM PTO-1449 TO BE FILED WITH THE
INFORMATION DISCLOSURE STATEMENT**

jc997 U.S. PTO
10/076038
02/15/02

U.S. Department of Commerce
Patent and Trademark Office

Docket No.: RPS6043-US Serial No.: 09/09/549,127

*ATTACH
#3*

Kenneth Heath

Applicant

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

April 13, 2000

Filing Date

1732-1772

Group Art Unit

Rhee

Not assigned

Examiner's Name

U.S. PATENT DOCUMENTS

<u>Examiner's Initials</u>	<u>Document No.</u>	<u>Date</u>	<u>Inventor(s)</u>	<u>Class/Sub-class</u>
	5,457,895	Oct. 17, 1995	Thompson et al.	34/296

FOREIGN PATENT DOCUMENTS

<u>Examiner's Initials</u>	<u>Publication, Application or Document No.</u>	<u>Publication Date</u>	<u>Applicant</u>	<u>Country</u>
	97810677.1	31.03.1999	Alusuisse Technology & Management AG	EPO
	EP 0 710 101 B1	06.05.1998	R.P. Scherer Corporation	EPO
	EP 0 646 367 B1	28.05.1997	R.P. Scherer Limited	EPO
	EP 0 563 934 A1	06.10.1993	Dr. Karl Thomae GmbH	EPO
	WO 00/09313	24.Feb. 2000	R.P. Scherer Corporation	PCT
	WO 97/21534	19 June 1997	Alusuisse Technology & Management AG	PCT
	WO 99/08857	25 Feb. 1999	R.P. Scherer Corporation	PCT

OTHER DOCUMENTS

None

Examiner: _____ Date Considered: _____

Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

The identification of any document herein is not intended to be, and should not be understood as being an admission that each such document, in fact, constitutes "prior art" within the meaning of applicable law since, for example, a given document may have a later effective date than at first seems apparent or the document may have an effective date which can be antedated. The "prior art" status of any document is a matter to be resolved during prosecution.